UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

ALBERT J. MEROLA, JR.,

Plaintiff,

-against-

STIPULATION OF DISCONTINUANCE

JAMES SNELL, individually and as an employee of the Police Department of the Town of Cicero, New York, JOSEPH SNELL. individually and as Chief of Police of the Police Department of the Town of Cicero, New York and THE TOWN OF CICERO, NEW YORK,

Case No.: 5:11-cv-327

(NAM/DEP) FIS

Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is, discontinued with prejudice, without costs to either party as against the other. This stipulation may be filed without further notice to the Clerk of the Court.

Dated: January 14, 2012

Dated: January 25, 2012

NOWNE, RYAN & PARTNERS, P.C.

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SO ORDERED

SENIOR U.S. DISTRICT JUDGE

2/16/2012